

**IN THE CIRCUIT COURT OF GIBSON COUNTY, TENNESSEE
FOR THE TWENTY-EIGHTH JUDICIAL DISTRICT AT TRENTON**

JOE WASHAM,

Plaintiff,

**Docket No. 9193
JURY DEMANDED**

**v.
FAMILY DOLLAR STORES OF TENNESSEE, LLC,
FAMILY DOLLAR STORES, INC., and
DOLLAR TREE STORES, INC.**

Defendants.

COMPLAINT FOR PERSONAL INJURY

COMES NOW your Plaintiff, Joe Washam, by and through undersigned counsel, and files this Complaint for Personal Injuries and damages against Defendants, Family Dollar Stores of Tennessee, LLC, Family Dollar Stores, Inc., and Dollar Tree Stores, Inc., for injuries and resulting damages and would respectfully state unto this Honorable Court the following, to wit:

JURISDICTION AND VENUE

1. Plaintiff, Joe Washam, respectfully alleges that he is an adult, resident citizen of Trenton, Gibson County, Tennessee.
2. Upon information and belief, Plaintiff alleges that Defendant, Family Dollar Stores of Tennessee, LLC, is a Virginia corporation authorized to and doing business in Tennessee and may be served with process through their designated registered agent Corporation Service Company, 2908 Poston Avenue, Nashville, Tennessee 37203.
3. Upon information and belief, Plaintiff alleges that Defendants, Family Dollar Stores, Inc., is a Delaware corporation doing business in Tennessee and may be served with

Filed August 30, 2022 at 3:00 PM
By Cynthia Flowers, Clerk
By Check Bonds D.C.



process through their designated registered agent Corporation Service Company, 2908 Poston Avenue, Nashville, Tennessee 37203.

4. Upon information and belief, Plaintiff alleges that Defendant, Dollar Tree Stores, Inc., is a Virginia corporation authorized to and doing business in Tennessee and may be served with process through their designated registered agent Corporation Service Company, 2908 Poston Avenue, Nashville, Tennessee 37203.

5. Plaintiff further alleges that this cause of action arises in tort out of personal injuries and resulting damages incurred by Plaintiff in Trenton, Gibson County, Tennessee, on or about September 24, 2021. Jurisdiction and venue are proper with this court.

FACTS

6. On or about the September 24, 2021, Plaintiff was on the premises of Family Dollar #633, located at 2045 U.S. Highway 45 Bypass, Trenton, Tennessee 38382.

7. While attempting to leave the premises, Plaintiff encountered a rug on the threshold of the store with its corner turned up that caused Plaintiff to trip and fall.

8. Plaintiff alleges that Defendants knew or should have known that a rug with a corner upturned was a trip hazard, and as such, a dangerous condition for its customers.

9. Plaintiff alleges that Defendants failed to remove this dangerous condition, thereby failing to keep the premises in a reasonably safe condition.

10. Plaintiff alleges that Defendants failed to warn Plaintiff or other customers of this dangerous condition, thereby failing to keep the premises in a reasonably safe condition.

11. As a direct and proximate result of the acts of negligence of Defendants, Plaintiff tripped on the upturned corner of the rug and fell on the ground, which resulted in Plaintiff's injuries and damages.

NEGLIGENT ACTS AND/OR OMISSIONS

- (d) Negligently failing to take the necessary steps and action to correct a dangerous condition when Defendants knew and/or should have known that the dangerous condition could cause injury to Plaintiff;
- (e) Negligently failing to keep the store's premises that is the subject of this lawsuit in a reasonably safe condition;
- (f) Negligently failing to comply with the property maintenance code and American with Disabilities Act or adopted accessibility code;
- (g) Negligently failing in its duty to exercise reasonable care to keep the premises in a reasonably safe and suitable condition, which includes warning of latent or hidden dangers of which Defendants knew, or with the exercise of reasonable care, would have known; and
- (h) Other ways to be shown upon completion of discovery in this case.

17. Plaintiff charges and alleges that one, some, or all of the aforesaid acts of common law negligence were the direct and proximate cause of Plaintiff's resulting injuries and damages, to be hereinafter set out with more particularity.

INJURIES AND DAMAGES

18. Plaintiff, Joe Washam, alleges that as a direct and proximate result of the herein above described negligent violations of the common law by Defendants, Plaintiff, Joe Washam, sustained multiple, serious, and disabling injuries to his body as a whole, including, but not limited to injuries to his face, elbows, hands, and left knee.

19. Plaintiff, Joe Washam, alleges that he has endured pain and suffering and may continue to suffer from the injuries arising out of the subject incident.

20. Plaintiff, Joe Washam, alleges that he has incurred reasonable and necessary medical expenses in order to alleviate his pain and suffering and verily believes that he will incur said expenses in the future.

21. Plaintiff, Joe Washam, further alleges that he has sustained a loss of quality and enjoyment of the normal pleasures of life as a result of the subject incident, past, present, and future.

22. Plaintiff, Joe Washam, further alleges that he has sustained mental anguish as a result of the subject incident.

RELIEF SOUGHT

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Joe Washam, sues Defendants, Family Dollar Stores of Tennessee, LLC, Family Dollar Stores, Inc., Family Dollar Stores, Inc., and Dollar Tree Stores, Inc., for a reasonable amount of restitution and compensation for damages to be determined by twelve Honorable and good citizens of Gibson County but not to exceed the sum of **ONE MILLION DOLLARS AND 00/100 (\$1,000,000.00)**.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays for damages as they may appear on the trial of this cause, reserving the right to amend this pleading to conform to the facts as they may develop, for costs, and for all other general relief justified by the facts under the law or in equity.

Respectfully Submitted:

NAHON SAHAROVICH & TROTZ, PLC



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